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FEE TRANSMITTAL
For FY 2008

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	($) 1,020.00

Complete if Known	
Application Number	10/702,551-Conf. #8245
Filing Date	November 7, 2003
First Named Inventor	Hong S. LEE
Examiner Name	M. D. Vargot
Art Unit	1732
Attorney Docket No.	2658-0314P

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 02-2448 Deposit Account Name: Birch, Stewart, Kolasch & Birch, LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, **except for the filing fee**

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

	FILING FEES		SEARCH FEES		EXAMINATION FEES		
Application Type	Fee ($)	Small Entity Fee ($)	Fee ($)	Small Entity Fee ($)	Fee ($)	Small Entity Fee ($)	Fees Paid ($)
Utility	310	155	510	255	210	105	
Design	210	105	100	50	130	65	
Plant	210	105	310	155	160	80	
Reissue	310	155	510	255	620	310	
Provisional	210	105	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee ($)	Small Entity Fee ($)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee ($)	Fee Paid ($)
_____ - =	_____	x _____	= _____

HP = highest number of total claims paid for, if greater than 20.

Multiple Dependent Claims	
Fee ($)	Fee Paid ($)
_____	_____

Indep. Claims	Extra Claims	Fee ($)	Fee Paid ($)
_____ - =	_____	x _____	= _____

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is $260 ($130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee ($)	Fee Paid ($)
_____ - 100 =	_____	/50 = _____ (round up to a whole number) x	_____	= _____

4. OTHER FEE(S) Fees Paid ($)

Non-English Specification, $130 fee (no small entity discount)

Other (e.g., late filing surcharge): Appeal Brief 510.00

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent) 40,953	Telephone (703) 205-8000
Name (Print/Type)	Esther H. Chong	# 22163	Date October 4, 2007

MS APPEAL BRIEF - PATENTS
Docket No.: 2658-0314P
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Hong S. LEE et al.

Application No.: 10/702,551 Confirmation No.: 8245

Filed: November 7, 2003 Art Unit: 1732

For: LIGHT GUIDE FABRICATING APPARATUS AND METHOD OF MANUFACTURING THE SAME Examiner: M. D. Vargot

APPEAL BRIEF TRANSMITTAL FORM

MS Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Appeal Brief on behalf of the Appellants in connection with the above-identified application.

☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

A Notice of Appeal was filed on September 18, 2007.

☐ Applicant claims small entity status in accordance with 37 C.F.R. § 1.27.

The fee has been calculated as shown below:

☐ Extension of time fee pursuant to 37 C.F.R. §§ 1.17 and 1.136(a) - $-.

☒ Fee for filing an Appeal Brief - $510.00 (large entity).

☐ Check(s) in the amount of $- is(are) attached.

☒ Please charge Deposit Account No. 02-2448 in the amount of $-. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: October 4, 2007

Respectfully submitted,

By _____
Esther H. Chong
Registration No.: 40,953
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant

Attachments

PATENT
2658-0314P

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Hong S. LEE et al.	Before the Board of Appeals Appeal No.:
Application No.: 10/702,551	Confirmation No.: 8245
Filed: November 7, 2003	Art Unit: 1732
For: LIGHT GUIDE FABRICATING APPARATUS AND METHOD OF MANUFACTURING THE SAME	Examiner: M. D. Vargot

APPEAL BRIEF ON BEHALF OF APPELLANTS UNDER 37 C.F.R. § 41.37

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Hong S. LEE et al.	Before the Board of Appeals Appeal No.:
Application No.: 10/702,551	Confirmation No.: 8245
Filed: November 7, 2003	Art Unit: 1732
For: LIGHT GUIDE FABRICATING APPARATUS AND METHOD OF MANUFACTURING THE SAME	Examiner: M. D. Vargot

APPEAL BRIEF ON BEHALF OF APPELLANTS
UNDER 37 C.F.R. § 41.37

MS APPEAL BRIEF - PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is an Appeal from the Office Action of May 18, 2007 finally rejecting claims 1, 3-5 and 7-29 in the above-identified application. The appealed claims are claims 1, 3-5 and 7-29, and are set forth in the attached Appendix.

I. REAL PARTY IN INTEREST

The instant application is assigned to LG. PHILIPS LCD CO., LTD. An assignment was recorded on April 25, 2001, at Reel/Frame 011762/0491 for Application No. 09/717,109, now U.S. Patent No. 6,663,800, on which the instant application claims priority under 35 U.S.C. §120. No further assignments of this application have been made.

II. RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences for the instant application.

III. STATUS OF THE CLAIMS

Claims 1, 3-5 and 7-29 are finally rejected and are set forth in the attached Appendix.

IV. STATUS OF AMENDMENTS

An Amendment has been filed on November 2, 2005 to amend claims 1, 5 and 6, and add claims 9-15, to respond to the Office Action of August 2, 2005.

An Amendment has been filed on April 25, 2006 to amend claims 1, 4 and 5, cancel claims 2 and 6, and add claims 16-19, to respond to the Office Action of January 25, 2006.

An Amendment has been filed on October 10, 2006 to respond to the Office Action of July 10, 2006. However, no claim amendment has been made in the October 10, 2006 Amendment.

A Request for Continued Examination with an Amendment has been filed on November 10, 2006 to add claims 20-29, to respond to the Office Action of July 10, 2006.

A Reply has been filed on February 22, 2007 to respond to the Office Action of November 22, 2006. However, no amendment has been made in the February 22, 2007 Reply.

A Reply has been filed on August 20, 2007 to respond to the Office Action of May 18, 2007. However, no amendment has been made in the August 20, 2007 Reply.

V. SUMMARY OF THE CLAIMED SUBJECT MATTER

Claims 1, 3, 4, 9, 10, 12, 13, 16, 18, 20-22, 23 and 24

Independent claim 1 and its dependent claims relate to a portion of a mold apparatus (110 in FIG. 7) for manufacturing a light guide (112 in FIG. 7), comprising: a stamper (114 in FIG. 7) configured to define a surface of a light guide (112 in FIG. 7) as discussed on page paragraph 0025 of the specification; and a core material portion (116 in FIG. 7) fixed to said stamper (114 in FIG. 7) by a fixing structure (118 in FIG. 7) as discussed on page paragraph 0025 of the specification, wherein said fixing structure comprises at least one fastening member (118 in FIG. 7), wherein said at least one fastening member (118 in FIG. 7) extends through said core material portion (116 in FIG. 7) into said stamper(114 in FIG. 7), as discussed on page paragraph 0025 of the specification.

In addition, dependent claim 4 recites that the stamper (114 in FIG. 7) is between 6 and 12 mm thick, as discussed on page paragraph 0025 of the specification.

Furthermore, dependent claim 13 recites that the mold apparatus further comprises a movable core (122 in FIG. 7) and a movable molding plate (130 in FIG. 7) that holds the movable core (122 in FIG. 7) and the integral molding device (120 in FIG), as discussed on page paragraph 0025 of the specification.

Claims 5, 7, 8, 11, 14, 15, 17, 19, 25-27, 28 and 29

Independent claim 5 and its dependent claims relate to defining a molding chamber (124 in FIG. 7), including defining at least one surface of the molding chamber (124 in FIG. 7) with a stamper (114 in FIG. 7) configured to define a surface of a light guide (112 in FIG. 7) as discussed on page paragraph 0025 of the specification, wherein the stamper (112 in FIG. 7) is a stamper

electrotype fixedly mounted on a core material portion (116 in FIG. 7) using at least one fastening member (118 in FIG. 7) as discussed on page paragraph 0025 of the specification; molding a molding material (the material for 112 in FIG. 7) in the molding chamber to form a light guide (112 in FIG. 7) having a surface thereof defined by the stamper (114 in FIG. 7) as discussed on page paragraph 0025 of the specification; and forming at least one fastener hole (not labeled in FIG. 7) through the core material portion (116 in FIG. 7) and extending into the stamper electrotype (112 in FIG. 7) as discussed on page paragraph 0025 of the specification.

In addition, dependent claim 8 recites that the stamper (114 in FIG. 7) is between 6 and 12 mm thick, as discussed on page paragraph 0025 of the specification.

Furthermore, dependent claim 15 recites that the integral molding device (120 in FIG) is set in a movable core (122 in FIG. 7) and a movable molding plate (130 in FIG. 7) that holds the movable core (122 in FIG. 7) and the integral molding device (120 in FIG) , as discussed on page paragraph 0025 of the specification.

VI. GROUNDS OF REJECTION

Claims 1, 3-5 and 7-29 stand rejected under 35 U.S.C. §103(a) as being unpatentable over as allegedly being unpatentable over the Related Art as illustrated in FIGs. 1-3 of the present disclosure in view of Johnson, U.S. Patent 2,443,826.

VII. APPELLANTS' ARGUMENTS

1. Rejection under 35 U.S.C. § 103(a) over the Related Art in view of Johnson

Claims 1, 3, 9, 10, 12, 16, 18, 20-22, 23 and 24

Independent 1 recites a combination of elements including "a stamper configured to define a surface of a light guide; and a core material portion fixed to said stamper by a fixing structure, wherein said fixing structure comprises at least one fastening member, wherein said at least one fastening member extends through said core material portion into said stamper."

The combination of the Related Art and Johnson fails to teach or suggest "a core material portion fixed to said stamper by a fixing structure, wherein said fixing structure comprises at least one fastening member, wherein said at least one fastening member extends through said core material into said stamper" as recited in claim 1. In the claimed invention, the fastening member is used to fix the core material portion and the stamper in relation to each other. Both the Related Art and Johnson fail to teach or suggest this claimed feature.

In particular, the Examiner has correctly acknowledged that the Related Art fails to disclose a fastening member. Therefore, the Related Art cannot teach or suggest the fastening member being used to fix the core material portion to the stamper.

Johnson also fails to cure the deficiency of the Related Art. The Examiner alleged that the die portions 12, 13 are equivalent to the stamper as recited and the platen member 16 is equivalent to the core material portion as recited. The Examiner further alleged that the guide rods 19, 20 are equivalent to the fastening member as recited. However, Johnson discloses that the die portions 12, 13 are slidably mounted in sockets 14, 15 in the fixed platen 16. The back of the die portions 12, 13

are in contact with compression springs 17, 18. *See Johnson, column 2, lines 8-16.* Since the die portions 12 and 13 are slidabe within the platen 16, the dies cannot be fixed to the platen 16, which is contrary to the feature of claim 1 as recited above. Appellants also note the opposing guides 21, 22 within the movable plate 25 are also slidable. *See Johnson, column 3, lines 4-11.* It is clear that neither the Related Art nor Johnson teaches or suggests the feature of the core material portion fixed to the stamper by a fixing structure, wherein the fixing structure comprises at least one fastening member, and wherein the fastening member extends through the core material portion into the stamper as recited in claim 1.

Accordingly, neither the Related Art nor Johnson individually or in combination teaches or suggests the claimed features of independent claim 1. Therefore, Appellants respectfully submit that amended independent claim 1 and its dependent claims (at least due to their dependency) clearly define over the teachings of the Related Art and Johnson.

Claim 4

Dependent 4 recites "said stamper is between 6 and 12 mm thick." The Examiner recognized that the Related Art only specifies the stampers being between 0.1 and 0.4 millimeters thick. Then, the Examiner merely concluded that increasing the thickness would be obvious.

It is respectfully submitted that the Examiner is simply disregarding the explicit teachings of the Related Art. As stated in page 4 of the specification, which describes the conventional method of manufacturing the stamper, "the stamper 32 has a thickness of about 0.1 to 0.4 mm *because it is difficult to make a large plating thickness.*" One of ordinary skill, based on this information, would be motivated to refrain from increasing the thickness of the stamper. Thus, contrary to the

Examiner's allegation, the problem of the Related Art does render increasing the stamper thickness as non-obvious.

Claim 13

Dependent claim 13 recites "the mold apparatus further comprises a movable core and a movable molding plate that holds the movable core and the integral molding device." In contrast, as illustrated in Figure 3 of the disclosure illustrating the conventional art, the core 34 and the stamper 32 are held within the stationary molding plate 42. Thus, the Related Art is in direct contrast to this feature.

Claim 5, 7, 11, 14, 17, 19, 25-27, 28 and 29

Independent claim 5 recites a combination of steps including "defining a molding chamber, including defining at least one surface of the molding chamber with a stamper configured to define a surface of a light guide, wherein the stamper is a stamper electrotype fixedly mounted on a core material portion using at least one fastening member; molding a molding material in the molding chamber to form a light guide having a surface thereof defined by the stamper; and forming at least one fastener hole through the core material portion and extending into the stamper electrotype."

The combination of the Related Art and Johnson fails to teach or suggest "the stamper is a stamper electrotype fixedly mounted on a core material portion using at least one fastening member" and "forming at least one fastener hole through the core material portion and extending into the stamper electrotype" as recited in claim 5. In the claimed invention, the fastening member is used to

fix the core material portion and the stamper in relation to each other. Both the Related Art and Johnson fail to teach or suggest this claimed feature.

In particular, the Examiner has correctly acknowledged that the Related Art fails to even disclose a fastening member. Therefore, the Related Art cannot teach or suggest the fastening member being used to fix the core material portion to the stamper.

Johnson also fails to cure the deficiency of the Related Art. The Examiner alleged that the die portions 12, 13 are equivalent to the stamper as recited and the platen member 16 is equivalent to the core material portion as recited. The Examiner further alleged that the guide rods 19, 20 are equivalent to the fastening member as recited. However, Johnson discloses that the die portions 12, 13 are slidably mounted in sockets 14, 15 in the fixed platen 16. The back of the die portions 12, 13 are in contact with compression springs 17, 18. *See Johnson, column 2, lines 8-16.* Since the die portions 12 and 13 are slidabe within the platen 16, the dies cannot be fixed to the platen 16, which is contrary to the feature of claim 1 as recited above. Appellants also note the opposing guides 21, 22 within the movable plate 25 are also slidable. *See Johnson, column 3, lines 4-11.* It is clear that neither the Related Art nor Johnson teaches or suggests the feature of the core material portion fixed to the stamper by a fixing structure, wherein the fixing structure comprises at least one fastening member, and wherein the fastening member extends through the core material portion into the stamper as recited in claim 5.

Accordingly, neither the Related Art nor Johnson individually or in combination teaches or suggests the claimed features of independent claim 5. Therefore, Appellants respectfully submit that amended independent claim 5 and its dependent claims (at least due to their dependency) clearly define over the teachings of the Related Art and Johnson.

Claim 8

Dependent 8 recites "said stamper is between 6 and 12 mm thick." The Examiner recognized that the Related Art only specifies the stampers being between 0.1 and 0.4 millimeters thick. Then, the Examiner merely concluded that increasing the thickness would be obvious.

It is respectfully submitted that the Examiner is simply disregarding the explicit teachings of the Related Art. As stated in page 4 of the specification, which describes the conventional method of manufacturing the stamper, "the stamper 32 has a thickness of about 0.1 to 0.4 mm *because it is difficult to make a large plating thickness*." One of ordinary skill, based on this information, would be motivated to refrain from increasing the thickness of the stamper. Thus, contrary to the Examiner's allegation, the problem of the Related Art does render increasing the stamper thickness as non-obvious.

Claim 15

Dependent claim 15 recites "the integral molding device is set in a movable core and a movable molding plate that holds the movable core and the integral molding device." In contrast, as illustrated in Figure 3 of the disclosure illustrating the conventional art, the core 34 and the stamper 32 are held within the stationary molding plate 42. Thus, the Related Art is in direct contrast to this feature.

In summary, it is believed that independent claims 1 and 5, as well as their dependent claims are neither suggested nor rendered obvious by the prior art utilized by the Examiner. It is believed

that the Appellants have countered all the reasons given for the rejections of the appealed claims, and thus these rejections do not appear to be proper. Accordingly, it is respectfully requested that this Board reverse the final rejection of claims 1, 3-5 and 7-29.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Dated: October 4, 2007

Respectfully submitted,

By _____
for Esther H. Chong #22463
Registration No.: 40,953
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Appellants

Attachments: Claims Appendix
Evidence Appendix
Related Proceedings Appendix

VIII. CLAIMS APPENDIX

1. (PREVIOUSLY PRESENTED) A portion of a mold apparatus for manufacturing a light guide, comprising:

a stamper configured to define a surface of a light guide; and

a core material portion fixed to said stamper by a fixing structure, wherein said fixing structure comprises at least one fastening member,

wherein said at least one fastening member extends through said core material portion into said stamper.

2. (CANCELED)

3. (ORIGINAL) The portion of a mold apparatus according to claim 1, wherein said at least one fastening member is at least one bolt.

4. (PREVIOUSLY PRESENTED) The portion of a mold apparatus according to claim 1, wherein said stamper is between 6 and 12 mm thick.

5. (PREVIOUSLY PRESENTED) A method of manufacturing a light guide, comprising:

defining a molding chamber, including defining at least one surface of the molding chamber with a stamper configured to define a surface of a light guide, wherein the stamper is a

stamper electrotype fixedly mounted on a core material portion using at least one fastening member;

molding a molding material in the molding chamber to form a light guide having a surface thereof defined by the stamper; and

forming at least one fastener hole through the core material portion and extending into the stamper electrotype.

6. (CANCELED)

7. (ORIGINAL) The method according to claim 5, wherein the at least one fastening member is a bolt.

8. (ORIGINAL) The method according to claim 7, wherein the stamper electrotype is between 6 and 12 mm thick.

9. (PREVIOUSLY PRESENTED) The portion of a mold apparatus according to claim 1, wherein the stamper is a stamper electrotype.

10. (PREVIOUSLY PRESENTED) The portion of a mold apparatus according to claim 9, wherein the stamper electrotype is formed from nickel.

11. (PREVIOUSLY PRESENTED) The method according to claim 5, wherein the stamper electrotype is formed from nickel.

12. (PREVIOUSLY PRESENTED) The portion of a mold apparatus according to claim 1, wherein the stamper and the core material portion form an integral molding device.

13. (PREVIOUSLY PRESENTED) The portion of a mold apparatus according to claim 12, wherein the mold apparatus further comprises a movable core and a movable molding plate that holds the movable core and the integral molding device.

14. (PREVIOUSLY PRESENTED) The method according to claim 5, wherein the stamper and the core material portion form an integral molding device.

15. (PREVIOUSLY PRESENTED) The method according to claim 14, wherein the integral molding device is set in a movable core and a movable molding plate that holds the movable core and the integral molding device.

16. (PREVIOUSLY PRESENTED) The portion of a mold apparatus according to claim 1, wherein the stamper and the core material portion are both formed from nickel.

17. (PREVIOUSLY PRESENTED) The method according to claim 5, further comprising forming both the stamper and the core material portion from nickel.

18. (PREVIOUSLY PRESENTED) The portion of a mold apparatus according to claim 1, wherein the stamper and the core material portion together form a movable core of the mold apparatus.

19. (PREVIOUSLY PRESENTED) The method according to claim 5, wherein the stamper and the core material portion together form a movable core of a mold apparatus.

20. (PREVIOUSLY PRESENTED) The portion of a mold apparatus according to claim 1, wherein a plurality of evenly spaced grooves are formed on a part of a surface of the stamper and a plurality of unevenness grooves are formed on another part of the surface of the stamper.

21. (PREVIOUSLY PRESENTED) The portion of a mold apparatus according to claim 20, wherein the plurality of unevenness grooves are prism shaped.

22. (PREVIOUSLY PRESENTED) The portion of a mold apparatus according to claim 20, wherein a pitch width of the plurality of unevenness grooves substantially ranges between 0.07 mm to 0.08 mm.

23. (PREVIOUSLY PRESENTED) The portion of a mold apparatus according to claim 1,

wherein the stamper is configured such that the surface of the light guide defined by the stamper is a surface of the light guide opposite a light emitting surface of the light guide, and

wherein the light emitting surface is the surface from which the light from the light guide is emitted toward a display panel.

24. (PREVIOUSLY PRESENTED) The portion of a mold apparatus according to claim 1, wherein a thickness of the core material portion substantially ranges between 20 mm and 30 mm.

25. (PREVIOUSLY PRESENTED) The method according to claim 5, further comprising:

forming a plurality of evenly spaced grooves on a part of a surface of the stamper that defines the surface of the light guide; and

forming a plurality of unevenness grooves on another part of the surface of the stamper.

26. (PREVIOUSLY PRESENTED) The method according to claim 25, wherein the step of forming the plurality of unevenness grooves includes:

forming the plurality of unevenness grooves such that they are prism shaped.

27. (PREVIOUSLY PRESENTED) The method according to claim 25, wherein the step of forming the plurality of unevenness grooves includes:

forming the plurality of unevenness grooves such that a pitch width of the plurality of unevenness grooves substantially ranges between 0.07 mm to 0.08 mm.

28. (PREVIOUSLY PRESENTED) The method according to claim 5, wherein the step defining the surface of the light guide comprises:

defining such that the surface of the light guide defined by the stamper is a surface of the light guide opposite a light emitting surface of the light guide,

wherein the light emitting surface is the surface from which the light from the light guide is emitted toward a display panel.

29. (PREVIOUSLY PRESENTED) The method according to claim 5, wherein the step of defining the molding chamber includes using the core material portion whose thickness substantially ranges between 20 mm and 30 mm.

IX. EVIDENCE APPENDIX

None

X. RELATED PROCEEDINGS APPENDIX

None